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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,834	06/20/2001	John F. Lane	10821/51085	4115

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EXAMINER

CORRIELUS, JEAN M

ART UNIT PAPER NUMBER

2162

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/885,834

**Applicant(s)**

LANE ET AL.

**Examiner**

Jean M Corrielus

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This office action is in response to the request for consideration filed on July 9, 2004, in which claims 1-4 are presented for further examination and claims 5-7 are withdrawn from consideration.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 recites the limitation "the invention" in line 3. It is not clear as to which invention the application is referred to. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothermel US 20020035451 in view of Yamaguchi et al., (hereinafter "Yamaguchi") US 20020024517.

As to claim 1, Rothermel discloses a system and method to view project oriented data relating to engineering construction and computer aided design using a browser based viewer. In particular, Rothermel discloses an interchange module that enable CAD administrators in charge of a workgroup's project data to manage various file formats, wherein such a interchange can simplify the process of maintaining synchronized design data by automating the conversion of between files of different formats. Moreover, Rothermel disclose the claimed "a library of format readers for reading at least one intelligent design saved in a specific format" as a library of format reader as an interchange module which is used to identify a specified design file (intelligent design) for input in one format (paragraph [0104]); "a format verifier linked to the format readers for matching the intelligent design to one of the format readers capable of reading the specific format" as an automated conversion that is used as a format verifier to compare the design file (intelligent design) against different formats file ( paragraph [0104]). Such a system of Rothermel allows users without CAD system access and experience can view and review the CAD data (intelligent design). Rothermel does not explicitly disclose the use of an import application programming interface linked to the format verifier for importing the intelligent design in the applicable format for viewing the intelligent design; and a memory resident data model, linked to the import application-programming interface, is a database for storing the properties and functional characteristics of the intelligent design. However, Rothermel discloses a database that can be continually maintained in a disk arrays with information on the design file (intelligent design) (paragraph [0104]).

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On the other hand, Yamaguchi discloses a system that provides user with easy access to a three-dimensional model of a desired physical object (intelligent design) and import that intelligent design into a desired application (paragraph [0023]). In particular, Yamaguchi discloses the claimed “an import application programming interface linked to the format verifier for importing the intelligent design in the applicable format for viewing the intelligent design; and a memory resident data model, linked to the import application-programming interface, is a database for storing the properties and functional characteristics of the intelligent design” by receiving a photographed data to produce a three dimensional model data and importing such produced three-dimensional model data into a virtual three-dimensional space of a computer application (see paragraph [0024]), wherein the produced three dimensional model data (intelligent design) is stored in a database (see item 1001A). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, wherein the plot module provided therein (see Rothermel’s paragraph [0101]) would incorporate the use of the an import application programming interface and a database for storing the properties and functional characteristics of the intelligent design, in the conventional manner as disclosed by Yamaguchi (paragraphs [0023-0024]). One having ordinary skill in the art would have found it motivated to use such a combination for the purpose of providing a data format (intelligent design) capable of being imported into an application formation viewable to a user.

As to claim 2, Yamaguchi discloses the claimed “a query application programming interface, linked to the memory resident data model, for searching for at least one element in the memory

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resident data model” (see paragraph [0209]); and “a user interface, linked to the query application programming interface for interactively accessing the memory resident data model” (see paragraph [0209]).

As to claim 3, Rothermel discloses the claimed “at least one format writer, linked to the query application interface, for scripting within the invention thereby allowing the user to control local configuration and behavior of the user interface” ”(see paragraphs [0101, 0104, 0114]).

As to claim 4, Rothermel discloses the claimed “a collaborative network element, linked by at least one medium to the memory resident data model, for using the apparatus across a global computer network” (see paragraph [0044, 0094, 0209]).

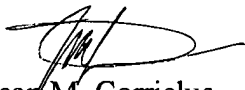
### *Conclusion*

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on Monday - Friday (8:00am - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus

Patent Examiner

January 6, 2005